

BroadNet
The BroadNet Alliance

1211 Connecticut Avenue, NW
Suite 608
Washington, DC 20036
202.496.1000
www.broadnetalliance.org

FILED ELECTRONICALLY

April 23, 2003

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12 Street, SW
Washington, DC 20554

Re: CC Docket No. 02-33 -- Appropriate Framework for Broadband Access to the Internet
over Wireline Facilities
Ex Parte Communication

Dear Ms. Dortch:

Pursuant to Section 1.1206(a)(1) of the Commission's Rules, on behalf of The BroadNet Alliance (BroadNet), I am filing this letter electronically to report an oral ex parte communication in the above-referenced proceeding.

Yesterday, I, representing the members of the BroadNet Alliance, met with Senior Legal Advisor Matthew Brill, in the office of Commissioner Kathleen Abernathy, regarding the wireline broadband proceeding.

During this meeting, I outlined the concerns of BroadNet's ISP members regarding the proposed elimination of the Computer Rules, the very rules that allowed for the development of the Internet as we know it today. Reclassifying digital subscriber line (DSL) technology as an information service will lead us into the worst possible scenario for the Internet – a deregulated monopoly. Even if the Bell companies had not received the “broadband relief” they did in the Triennial Review, they have never produced any tangible evidence that continued adherence to these rules is in any way harmful to them, or to the development of broadband in general. Maintaining these basic, non-discrimination requirements is especially critical given the Bells' immediate retreat from their promises of deployment directly following the Commission's decision in the February meeting, even though they were granted that “broadband relief”. Many rural and smaller communities depend on ISPs for broadband service. These communities,

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Residential and small businesses alike are no longer served by incumbents who have deemed them too small to justify serving. Without non-discriminatory access, the thousands of ISPs who have gone into these communities to provide service will be left with no recourse, as will their thousands of customers.

Finally, with the phase-out/elimination of the line-sharing rules, ISPs are now wholly dependent on the incumbents. The Computer Rules alone remain the only road to the customer. Without their continued enforcement, the FCC will turn what has been a vibrant public highway into a tightly controlled gated driveway.

If there are any questions regarding this submission, please contact me at the above number.

Respectfully submitted,

Maura Colleton Corbett
Executive Director

Cc: Commissioner Kathleen Abernathy
Matthew Brill
Christopher Libertelli
Michele Carey
Scott Marcus
Robert Pepper
Cathy Carpino
Robert Cannon
Jeremy Miller
Brent Olson
Tom Navin
Julie Veach